

**Remarks**

The Official Action rejected claims 1-31. Applicant has amended claims 1-3, 5-7, 9-13, and 24-27. Claims 1-31 are now pending in the present application. Applicant respectfully requests reconsideration and allowance of the pending claims in the light of the points that follow.

**Specification Objections**

The Official Action objected to the Abstract of the Invention. Applicant has amended the Abstract of the Invention. Applicant respectfully requests the objection to the Abstract of the Invention be withdrawn in light of the present amendments.

The Official Action objected to the disclosure for not including a Summary of the Invention. However, Applicant would like to kindly point out that both the MPEP and the CFR do not “require” the presence of the above identified section. They merely indicate where in the application the section “should” be placed if Applicant chooses to add such a section and the suggested content of the section. For example, 37 C.F.R. §1.73 only states that a “Summary of the Invention” should or may be included. It does not state “must” or “shall.” Accordingly, Applicant has elected not to include a “Summary of the Invention” as this is within the discretion and right of the Applicant.

Applicant respectfully requests the objections to the specification be withdrawn in light of the present comments and amendments.

**Claim Rejections under 35 USC § 101**

The Official Action rejected claims 1-12 under 35 U.S.C. 101 as being not a patent eligible process. Applicant has amended claim 1 to recite the apparatus for the method. Applicant respectfully requests the rejections to claims 1-12 be withdrawn in light of the present amendments.

**Claim Rejections under 35 USC § 102 (Maeda)**

The Official Action rejected claims 1-10, 13-22, 24-31 under 35 U.S.C. 102(e) as being anticipated by Maeda et al. (7,533,378). Applicant has amended claim 1-3, 5-7, 9, 10, 13, and 24-27.

As is well-established, in order to successfully assert a *prima facie* case of anticipation, the Official Action must provide a single prior art document that includes every element and limitation of the claim or claims being rejected. Therefore, if even one element or limitation is missing from the cited document, the Official Action has not succeeded in making a *prima facie* case.

**Claims 1-10**

Applicant respectfully points out that claims 1-10, 13-22, and 24-31 contain limitations not taught by the cited reference. Claims 1-10 require creating a data structure to store progress information on a group of one or more concurrent operations to access a file system of a non-volatile memory, **wherein the progress information comprises one or more locations being operated by the concurrent operations, the data structure further comprises address information to link the**

**concurrent operations**; and executing the one or more concurrent operations

**concurrently based on the progress information and the address information.**

Applicant respectfully asserts that Maeda merely appears to disclose updating files stored on recording media (Col. 1, lines 8-9). Specifically, Maeda seems to disclose an apparatus that allow for addressing inconsistency relating to a file on a recording medium which arise when updating the file is interrupted, e.g., if updating processing is suspended due to power supply being cut off (Col. 3, lines 28-32 and Col. 17, lines 45-47). Although Maeda, Col. 18, lines 12-15 appears to disclose file information that may include processing status, the processing status may only show the stage reached in the update processing, e.g., which of a plurality of procedures that form the update processing have been executed. Accordingly, Applicant would respectfully indicate that Maeda does not teach or suggest executing the one or more concurrent operations concurrently, but only an updating processing with different stages. Further, although Maeda appears to teach file information may comprise entry information, the entry information may only include information relating to a file targeted for updating (Col. 11, lines 8-12), rather than progress information that comprises one or more locations being operated by the concurrent operations. Moreover, Applicant would further respectfully indicate that Maeda fails to disclose the address information to link the concurrent operations or executing the concurrent operations further based on the address information. Accordingly, Applicant respectfully points out that Maeda does not appear to teach or suggest creating a data structure to store progress information on a group of one or more concurrent

operations to access a file system of a non-volatile memory, wherein the progress information comprises one or more locations being operated by the concurrent operations, the data structure further comprises address information to link the concurrent operations; and executing the one or more concurrent operations concurrently based on the progress information and the address information.

Applicant respectfully requests the rejection of claim 1-10 be withdrawn.

Claims 13-22

Claims 13-22 require a processor to store in the volatile memory a data structure that comprises location data associated with a group of one or more concurrent operations to access a file system of the non-volatile memory, and to **perform the one or more concurrent operations concurrently** according to the location data, wherein the location data comprises **one or more locations being operated in each of the concurrent operations and address information that links concurrent operations.**

As previously discussed with regard to claims 1-10, Applicant would respectfully indicate that Maeda does not teach or suggest performing the one or more concurrent operations concurrently, but only an updating processing with different stages. Further, Maeda appears to disclose that the entry information may only include information relating to a file targeted for updating, rather than one or more locations being operated in each of the concurrent operations and address information that links concurrent operations. Accordingly, Applicant respectfully points out that Maeda does not appear to teach or suggest a processor to store in the

volatile memory a data structure that comprises location data associated with a group of one or more concurrent operations to access a file system of the non-volatile memory, and to perform the one or more concurrent operations concurrently according to the location data, wherein the location data comprises one or more locations being operated in each of the concurrent operations and address information that links concurrent operations. Applicant respectfully requests the rejection of claim 13-22 be withdrawn.

Claims 24-31

Claims 13-22 require storing a track table, wherein each entry of the track table comprises **one or more sector locations of a file system of a non-volatile memory being operated by a group of one or more concurrent operations associated with a file in the file system**, the track table further comprises **address information to link the group of concurrent operations, and performing the one or more concurrent operations concurrently** based on the one or more sector locations.

As previously discussed with regard to claims 1-10, Applicant would respectfully indicate that Maeda does not teach or suggest performing the one or more concurrent operations concurrently, but only an updating processing with different stages. Further, Maeda appears to disclose that the entry information may only include information relating to a file targeted for updating, rather than one or more locations being operated in each of the concurrent operations and address information that links concurrent operations. Accordingly, Applicant respectfully points

out that Maeda does not appear to teach or suggest storing a track table, wherein each entry of the track table comprises one or more sector locations of a file system of a non-volatile memory being operated by a group of one or more concurrent operations associated with a file in the file system, the track table further comprises address information to link the group of concurrent operations, and performing the one or more concurrent operations concurrently based on the one or more sector locations. Applicant respectfully requests the rejection of claim 24-31 be withdrawn.

**Claim Rejections under 35 USC § 103 (Maeda/Barreh)**

The Official Action rejected claims 11, 12 and 23 under 35 U.S.C. 103(a) as being unpatentable over Maeda et al., and in view of Barreh et al. (7,185, 178).

Claims 11 and 12 depend on claim 1 as a base claim. Claim 23 depends on claim 13 as a base claims. As discussed previously with regard to claims 1 and 13, Applicant would respectfully indicates that Maeda does not teach or suggest performing the one or more concurrent operations concurrently, but only an updating processing with different stages. Further, Maeda appears to disclose that the entry information may only include information relating to a file targeted for updating, rather than one or more locations being operated in each of the concurrent operations and address information that links concurrent operations. Accordingly, Applicant respectfully points out that Maeda does not appear to teach or suggest all the limitations in claims 1 or 13.

Again, there is no teaching of performing concurrent operations concurrently in Barreh. Thus, Barreh fails to teach one or more locations being operated in each of the concurrent operations and address information that links the concurrent operations.

Since neither Maeda nor Barreh teach performing concurrent operations concurrently or one or more locations being operated in each of the concurrent operations and address information that links the concurrent operations, the proposed combination fails to arrive at the invention of claims 11, 12 and 23. Withdrawal of the present rejection is respectfully requested.

**Conclusion**

The foregoing is submitted as a full and complete response to the Official Action. Applicant submits that the pending claims are in condition for allowance. Reconsideration is requested, and allowance of the pending claims is earnestly solicited.

Should it be determined that an additional fee is due under 37 CFR §§1.16 or 1.17, or any excess fee has been received, please charge that fee or credit the amount of overcharge to deposit account #02-2666. If the Examiner believes that there are any informalities which can be corrected by an Examiner's amendment, a telephone call to the undersigned at (503) 439-8778 is respectfully solicited.

Respectfully submitted,

Date: December 14, 2009

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